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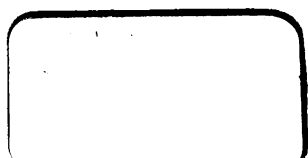
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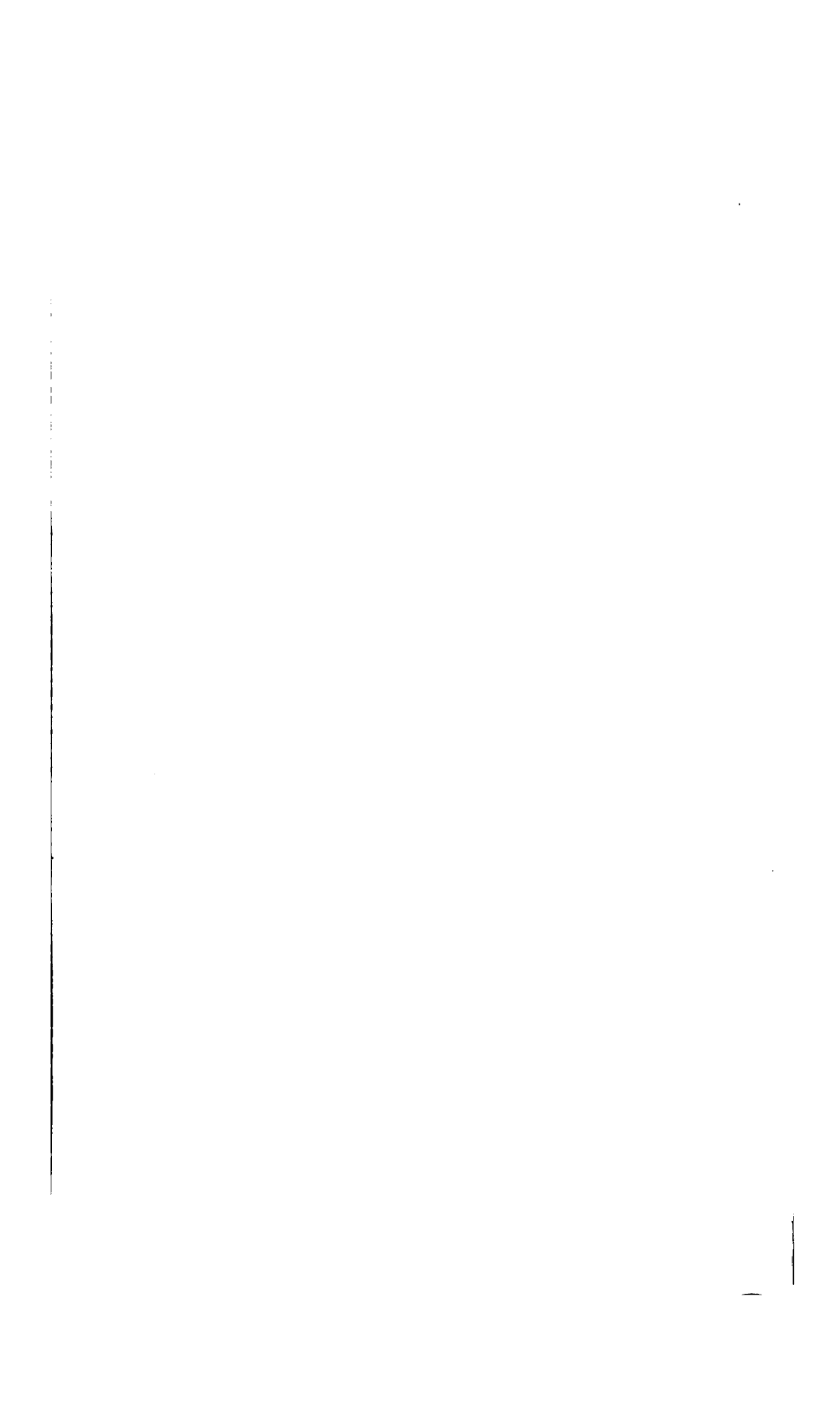
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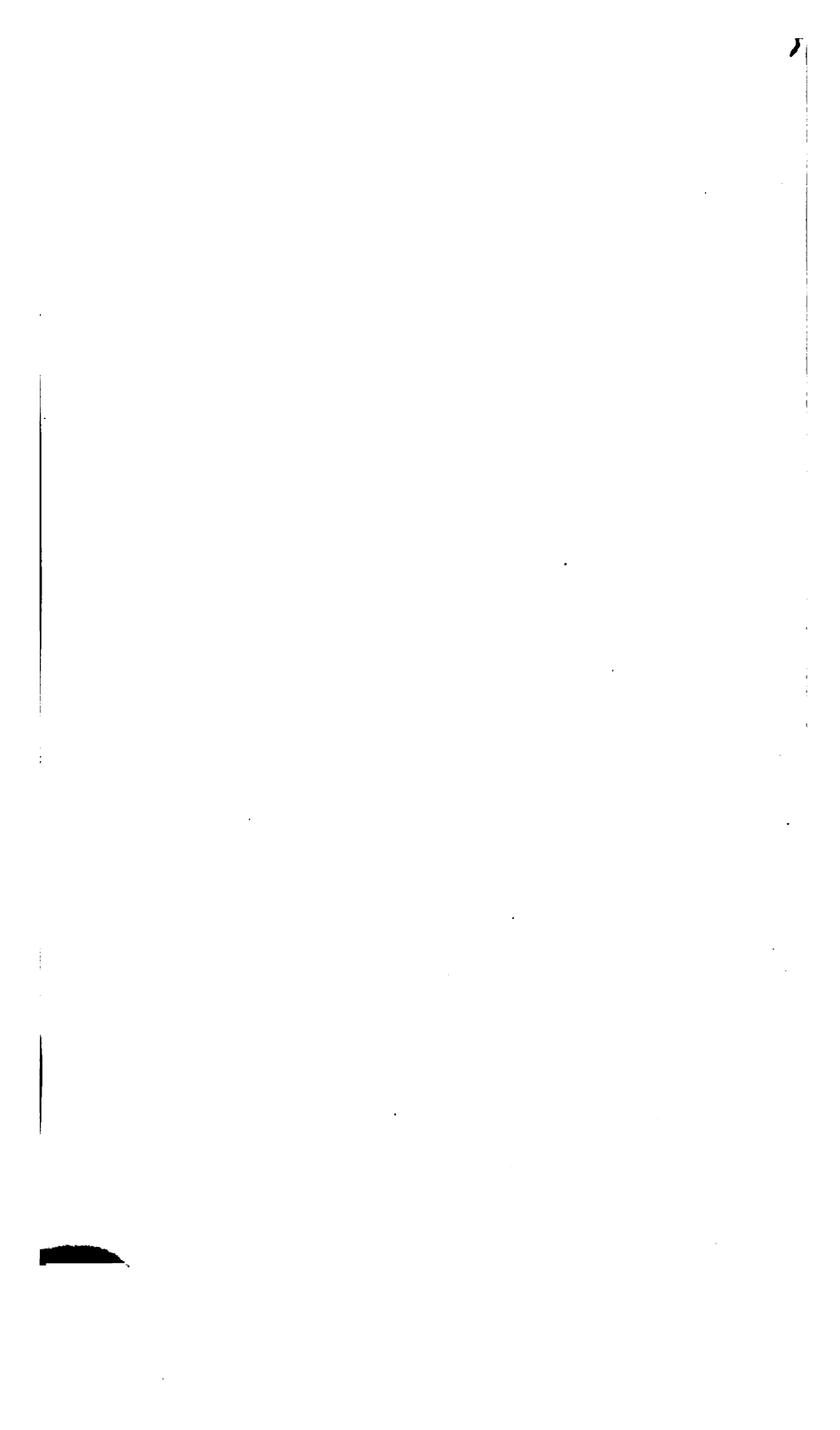
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# **ACTS OF A GENERAL NATURE,**

**PASSED AT THE FIRST SESSION OF THE**

**THIRTY-FOURTH GENERAL ASSEMBLY**

**OF THE**

**STATE OF OHIO;**

**Begun and held in the City of Columbus,**

**DECEMBER 7, 1835.**

**IN THE THIRTY-FOURTH YEAR OF SAID STATE.**

**VOL. XXXIV.**

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# GENERAL LAWS.

## AN ACT

To amend an act passed March 14th, 1831, entitled "An act pointing out the mode of levying taxes."

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That all tracts of land not exceeding two acres, and all meeting houses standing on said tracts of land, the title of which, is vested in any trustee or trustees, body corporate or politic, for the use of, and in trust for, any religious society, and occupied by such society for public worship; and all tracts of land set apart and used as burying grounds, shall be exempt from taxation. Land and meeting houses, exempt from taxation. Burying grounds exempt

Sec. 2. That so much of the second section of the act to which this is an amendment, as relates to the exemption from taxation, of all tracts of land not exceeding ten acres, with the improvements thereon, the title of which is vested in any trustee or trustees, body corporate or politic, for the use of, and in trust for, any religious society, and all tracts of land used as burying grounds, be, and the same is hereby repealed. Act repealed

WM. SAWYER,  
*Speaker of the House of Representatives.*

ELIJAH VANCE,  
*Speaker of the Senate.*

January 18, 1836.

## AN ACT

To explain the act to provide for the partition of real estate.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That it is hereby declared to be the meaning and intent of the act, providing for the partition of real estate, passed 17th February, 1831, that in all cases where a sale of lands or tenements may have been made by virtue of and proceeding for the partition of real estate, under the present or any former laws on that subject, and a conveyance of the lands sold, shall not have been made by the officer making such sale, When real estate is sold, court may order Sheriff to execute and deliver deed.

the court before which such proceeding may have been had, may on motion, order the sheriff of the county, or any officer who may be then executing the duties of sheriff, to execute and deliver to the purchaser, a deed for the lands so sold, the court being first satisfied that such sale was regularly made, and that the purchase money has been fully paid or secured.

Repealing  
clause.

Sec. 2. That the act to amend the act, entitled "An act for the partition of real estate," passed the seventh day of March, eighteen hundred and thirty five, be, and the same is hereby repealed.

WM. SAWYER,  
*Speaker of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

January 23, 1836.

#### AN ACT

To regulate the times of holding the Judicial Courts.

Times of holding the Supreme Court.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the Supreme Court shall be holden in the several counties, at the times hereinafter mentioned, to wit: in the county of Pike, on the seventeenth day of March; in the county of Jackson, on the twenty-first day of March; in the county of Gallia, on the twenty-third day of March; in the county of Lawrence, on the twenty-sixth day of March; in the county of Scioto, on the twenty-eighth day of March; in the county of Adams, on the thirty-first day of March; in the county of Brown, on the fourth day of April, in the county of Clermont, on the eighth day of April; in the county of Hamilton, on the thirteenth day of April; in the county of Butler, on the sixteenth day of May; in the county of Warren, on the nineteenth day of May; in the county of Clinton, on the twenty-third day of May; in the county of Highland, on the twenty-seventh day of May; in the county of Fayette, on the thirtieth day of May; in the county of Madison, on the first day of June; in the county of Clark, on the third day of June; in the county of Green, on the sixth day of June; in the county of Montgomery, on the tenth day of June; in the county of Preble, on the fifteenth day of June; in the county of Darke, on the eighteenth day of June; in the county of Miami, on the twentieth day of June; in the county of Mercer, on the twenty-third day of June; in the county of Shelby, on the twenty-fifth day of June; in the county of Allen, on the twenty-seventh day of June; in the county of Hardin, on the twenty-eighth day of June; in the county of Logan, on the thirtieth day of June; in the county of Champaign, on the second day of July; in the county of

Union, on the sixth day of July; in the county of Delaware, on the eighth day of July; in the county of Marion, on the eleventh day of July; in the county of Crawford, on the thirteenth day of July; in the county of Seneca, on the fifteenth day of July; in the county of Hancock, on the eighteenth day of July; in the county of Putnam, on the nineteenth day of July; in the county of Williams, on the twentieth day of July; in the county of Henry, on the twenty-first day of July; in the county of Wood, on the twenty-second day of July; in the county of Lucas, on the twenty-third day of July; in the county of Sandusky, on the twenty-fifth day of July; in the county of Huron, on the twenty-seventh day of July; in the county of Lorain, on the third day of August; in the county of Cuyahoga, on the fifth day of August; in the county of Geauga, on the eleventh day of August; in the county of Ashtabula, on the eighteenth day of August; in the county of Trumbull, on the twenty-fourth day of August; in the county of Portage, on the twenty-ninth day of August; in the county of Medina, on the fifth day of September; in the county of Wayne, on the seventh day of September; in the county of Richland, on the ninth day of September; in the county of Knox, on the fourteenth day of September; in the county of Licking, on the nineteenth day of September; in the county of Coshocton, on the twenty-third day of September; in the county of Holmes, on the twenty-sixth day of September; in the county of Tuscarawas, on the twenty-eighth day of September; in the county of Carroll, on the first day of October; in the county of Stark, on the third day of October; in the county of Columbiana, on the seventh day of October; in the county of Jefferson, on the tenth day of October; in the county of Harrison, on the fourteenth day of October; in the county of Belmont, on the seventeenth day of October; in the county of Monroe, on the twenty-first day of October; in the county of Guernsey, on the twenty-fourth day of October; in the county of Muskingum, on the twenty-sixth day of October; in the county of Morgan, on the thirty-first day of October; in the county of Washington, on the fourth day of November; in the county of Meigs, on the seventh day of November; in the county of Athens, on the ninth day of November; in the county of Hocking, on the eleventh day of November; in the county of Perry, on the fourteenth day of November; in the county of Fairfield, on the sixteenth day of November; in the county of Ross, on the twenty-first day of November; in the county of Pickaway, on the twenty-eighth day of November; in the county of Franklin, on the second day of December: and the Court in Bank shall commence and be holden, on the fifth day of December: *Provided*, That said court shall be, and hereby is authorized, where the situation of business is such as to justify and require it, to continue the term of the court, in any county, beyond the time allotted for holding the court in said county.

Court in bank,  
when holden.

1st Circuit.

Times of holding courts therein.

Sec. 2. The Courts of Common Pleas shall be held in the First Judicial Circuit, as follows: In the county of Preble, on the twenty-ninth day of February, the twenty-third day of May, and the nineteenth day of September; in the county of Dark, on the fourteenth day of March, the thirtieth day of May, and the third day of October; in the county of Mercer, on the twenty-first day of March, the twenty-fifth day of July, and the tenth day of October; in the county of Putnam, on the twenty-eighth day of March, and the seventeenth day of October; in the county of Allen, on the thirty-first day of March, and the twentieth day of October; in the county of Shelby, on the 4th day of April, the first day of August, and the twenty-fourth day of October; in the county of Miami, on the eleventh day of April, the eighth day of August, and the thirty-first day of October; in the county of Montgomery, on the twenty-fifth day of April, the twenty-second day of August, and the fourteenth day of November.

2d Circuit.

Times of holding courts therein.

Sec. 3. That the Court of Common Pleas in the Second Circuit, shall be holden as follows, to wit: In the county of Huron, on the twenty-ninth day of February, the sixteenth day of May, and the fourteenth day of November; in the county of Crawford, on the seventeenth day of March, and twelfth day of September; in the county of Marion, on the twenty-second day of March, the fourteenth day of June, and nineteenth day of September; in the county of Seneca, on the twenty-eighth day of March, the twenty-first of June and twenty-sixth day of September; in the county of Hancock, on the fourth day of April, and the third day of October; in the county of Sandusky, on the seventh day of April, twenty-eighth day of June, and tenth day of October; in the county of Wood, on the eleventh day of April, the fourth day of July, and seventeenth day of October; in the county of Henry, on the eighteenth day of April, and twenty-fourth day of October; in the county of Williams, on the twenty-second day of April, and thirty-first day of October; in the county of Lucas, on the twenty-seventh day of April, and on the fourth day of November.

3d Circuit.

Times of holding courts therein.

Sec. 4. The Courts of Common Pleas in the Third Circuit, shall be holden as follows: In the county of Portage, on the twenty-third day of February, the thirtieth day of May, and the twenty-seventh day of September; in the county of Cuyahoga, on the fifteenth day of March, the sixth day of June, and the eleventh day of October; in the county of Geauga, on the twenty-ninth day of March, the thirteenth day of June, and the twenty-fifth day of October; in the county of Ashtabula, on the twelfth day of April, the twentieth day of June, and the eighth day of November; and in the county of Trumbull, on the twenty-sixth day of April, the twentieth day of June, and the twenty-second day of November.

4th Circuit

Sec. 5. That the Courts of Common Pleas shall be held in the Fourth Circuit, as follows: In the county of Belmont, on



the fourteenth day of March, the thirteenth day of June, and the twelfth day of September; in the county of Monroe, on the twenty-eighth day of March, the twenty-seventh day of June, and the twenty-sixth day of September; in the county of Guernsey, on the fourth day of April, the fourth day of July, and the third day of October; in the county of Licking, on the eleventh day of April, the twenty-fifth day of July, and the seventeenth day of October; in the county of Coshocton, on the twenty-fifth day of April, the eighth day of August, and the twenty-fourth day of October; in the county of Muskingum, on the second day of May, the fifteenth day of August, and the seventh day of November.

Times of holding courts therein.

Sec. 6. That the Courts of Common Pleas shall be held in the Fifth Circuit, as follows: In the county of Harrison, on the fourth day of April, the twenty-seventh day of June, and the nineteenth day of September; in the county of Tuscarawas, on the eleventh day of April, the twenty-fifth day of July, and the thirty-first day of October; in the county of Stark, on the eighteenth day of April, the first day of August, and the seventh day of November; in the county of Carroll, on the second day of May, the fifteenth day of August, and the fifteenth day of November; in the county of Columbiana, on the ninth day of May, the twenty-second day of August, and the twenty-eighth day of November; in the county of Jefferson, on the twenty-third day of May, the fifth day of September, and the fifth day of December.

Times of holding courts therein.

Sec. 7. That the Courts of Common Pleas shall be held in the Sixth Circuit, as follows: In the county of Hocking, on the eighteenth day of March, the tenth day of June, and the ninth day of September; in the county of Perry, on the twenty-second day of February, the thirteenth day of June, and the twelfth day of September; in the county of Fairfield, on the seventh day of March, the twentieth day of June, and the nineteenth day of September; in the county of Ross, on the twenty-first day of March, the eleventh day of July, and the third day of October; in the county of Pike, on the eleventh day of April, the fourth day of July, and the seventeenth day of October; in the county of Jackson, on the eighteenth day of April, the twenty-fifth day of July, and the twenty-fourth day of October; in the county of Pickaway, on the twenty-fifth day of April, the first day of August, and the thirty-first day of October.

Times of holding courts therein.

Sec. 8. That the Court of Common Pleas in the Seventh Judicial Circuit, shall commence and be holden as follows: In the county of Warren, on the last Monday of February; the third Monday of June, and the first Monday of October; in the county of Butler, on the third Monday of March, the third Monday of July, and third Monday of October; in the county of Green, on the second Monday of April, the second Monday of August, and the first Monday of November; and in the county of Cinton, on the fourth Monday of April, the fourth Monday of August, and the third Monday of November.

7th Circuit.

Times of holding courts therein.

8th Circuit.

Times of holding courts therein.

**Sec. 9.** The Courts of Common Pleas in the Eighth Judicial Circuit, shall commence and be held upon the days following, to wit: In the county of Washington, on the seventh day of March, the twentieth day of June, and the nineteenth day of September; in the county of Morgan, on the fourteenth day of March, the twenty-seventh day of June, and the twenty-sixth day of September; in the county of Athens, on the twenty-eighth day of March, the fourth day of July, and the third day of October; in the county of Meigs, on the fourth day of April, the eleventh day of July, and the twelfth day of October; in the county of Gallia, on the eleventh day of April, the eighteenth day of July, and the seventeenth day of October; in the county of Lawrence, on the eighteenth day of April, the twenty-fifth day of July, and the seventh day of November; and in the county of Scioto, on the twenty-fifth day of April, the first day of August, and the fourteenth day of November.

10th Circuit.

Times of holding courts therein.

**Sec. 10.** That the Courts of Common Pleas shall be held in the Tenth Circuit, as follows: In the county of Fayette, on the seventh day of March, the twenty-seventh day of June, and the nineteenth day of September; in the county of Highland, on the fourteenth day of March, the eleventh day of July, and the twenty-sixth day of September; in the county of Adams, on the twenty-first day of March, the eighteenth day of July, and the third day of October; in the county of Brown, on the eighteenth day of April, the twenty-fifth day of July, and the tenth day of October; in the county of Clermont, on the second day of May, the eighth day of August, and the twenty-fourth day of October.

11th Circuit.

Times of holding courts therein.

**Sec. 11.** That the Courts of Common Pleas shall be held in the Eleventh Circuit, as follows: In the county of Wayne, on the twenty-second day of February, the twenty-third day of May, and the thirty-first day of October; in the county of Holmes, on the twenty-ninth day of February, the thirteenth day of May, and the twelfth day of October; in the county of Knox, on the seventh day of March, the sixth day of June, and the seventeenth day of October; in the county of Medina, on the twenty-eighth day of March, the twenty-seventh day of June, and the seventh day of November; in the county of Lorain, on the fifth day of April, the fifth day of July, and the fourteenth day of November; and in the county of Richland, on the eleventh day of April, the fifteenth day of August, and the twenty-first day of November.

12th Circuit.

Times of holding courts therein.

**Sec. 12.** The Courts of Common Pleas of the Twelfth Judicial Circuit, shall be held in the several counties therein, as follows, to wit: In the county of Franklin, on the fifteenth day of February, the twenty-third day of May, and the twenty-sixth day of September; in the county of Delaware, on the twenty-third day of February, the twentieth day of June, and the third day of October; in the county of Madison, on the

seventh day of March, the thirtieth day of June, and the thirteenth day of October; in the county of Union; on the third day of March, the twenty-seventh day of June, and the tenth day of October; in the county of Clark, on the fourth day of April, the first day of August, and the seventeenth day of October; in the county of Champaign, on the eighteenth day of April, the twenty-fifth day of July, and the twenty-fourth day of October; in the county of Logan, on the twenty-fifth day of April, the eighteenth day of July, and the thirty-first day of October; in the county of Hardin, on the second day of May, and the seventh day of November.

Sec. 13. That if any of the days fixed upon by this act for the commencement of a term of either of said courts should be on the first day of the week, such term shall commence on the next day thereafter. Occurring on Sunday

Sec. 14. That the Clerk of the Courts of Common Pleas in any county, where there is not sufficient time to draw jurors and to issue writs of *venire facias*, as is now required by law, shall, in the presence of the sheriff, as is required in the fourth section of the act, relating to jurors, draw the jurors, and thereupon issue such writs, at any time before the sitting of such court; and the court, when convened, may order such writs to be returned forthwith; and the sheriff of any such county shall serve the same, and make return thereof, agreeably to the command of the same; and such service and return shall be as valid in law as if such writ had been issued thirty days previous to the sitting of such court, and had been served ten days previous thereto; and all writs and process, heretofore issued, shall be returnable, and all causes pending shall be continued, to the next term of the several courts, as provided for in this act. Special venire may issue  
Causes pending, continu'd

Sec. 15. That the act passed February 27th, 1835, be, and the same is hereby repealed. Repealing clause

Sec. 16. That persons necessarily attending court on the second Tuesday of October, or on the day of election for electors of President and Vice President of the United States, shall have the same right to vote in the township in which the court is held, that they would have in their respective townships: *Provided*, such persons are legal voters of the county. Relative to election during term of court

WM. SAWYER,

*Speaker of the House of Representatives.*

ELIJAH VANCE,

*Speaker of the Senate.*

February 3, 1836.

#### AN ACT

To amend the act making provision for carrying into effect the acts for the punishment of crimes.

Sec. 1. *Be it enacted by the General Assembly of the State*  
2—G. L.

of Ohio, That so much of the twenty-first section of the "act making provision for carrying into effect the acts for the punishment of crimes," passed February 26th, 1835, as relates to, and authorizes the Warden and Directors of the Ohio Penitentiary to employ a minister of the gospel, who shall discharge the duties of chaplain and teacher to said institution, be, and the same is hereby repealed.

Act relating  
to chaplain to  
Ohio Peniten-  
tiary, repealed

WM. SAWYER,  
*Speaker of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

February 16, 1836.

### AN ACT

To amend the act, entitled "An act to amend an act for the punishment of certain offences therein named," passed March 9th, 1835.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That if any person shall conceal any stolen money, goods, or chattles of any kind whatever, of less value than thirty-five dollars, or shall conceal any bank bill or bills, promissory note or notes, bills of exchange, order, warrant, draft, check or bond, or any accountable receipt for money given for the payment, or acknowledgment of any sum under thirty-five dollars, the person so concealing, knowing the same to have been stolen, shall be considered as an aider, abettor, or accomplice; and on conviction thereof, shall be fined for every such offence in any sum not exceeding two hundred dollars; or shall be imprisoned in the county jail, in a dungeon or cell thereof, if any there be in such jail, and shall be fed on bread and water only, during his or her confinement, for any term not exceeding thirty days, either or both, at the discretion of the court.

Person con-  
cealing stolen  
money, goods,  
&c.

Penalty.

May be im-  
prisoned in  
county jail

Repealing  
clause.

When to take  
effect.

Sec. 2. That the second section of the act, entitled "An act to amend an act for the punishment of certain offences therein named," passed March 9th, 1835, be, and the same is hereby repealed.

Sec. 3. This act shall take effect and be in force, from and after the first day of July next; but nothing herein contained, shall affect the prosecution or punishment for offences committed before the taking effect of this act.

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

February 29th, 1836.

## AN ACT

To amend "An act for the appointing Notaries Public," passed 7th Feb. 1816.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That no officer, clerk or agent of any bank now, or hereafter [to] be incorporated, shall be appointed to the office of Notary Public. No officer, clerk, or agent of Bank to be appointed.

Sec. 2. That every Notary Public may hereafter demand and receive for every [attestation] protestation, or other instrument of publication, under the seal of his office, the sum of fifty cents and no more; and for recording in a book to be kept for that purpose, each attestation, protestation, or other instrument of publication, fifty cents and no more; any thing in the fourth section of the act, to which this is an amendment, to the contrary notwithstanding. Fees.

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

February 29, 1836.

## AN ACT

To amend the act prescribing the duties of County Auditors, passed March 14th, 1831.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county auditor of the county in which any land or town lot shall have been, or may hereafter be sold for taxes, under the provisions of the act to which this act is amendatory, is hereby authorized and required to execute the proper deed therefor, to the person or persons entitled to receive the same, whether the said land or town lot shall, at the time of the execution of said deed, continue to lie within said county, or not, in the same manner as though the said land or town lot still remained within the limits thereof, any law to the contrary notwithstanding. When land or town lot sold for taxes, county auditor to make deed.

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

February 29, 1836.

## AN ACT

Fixing the salary of Gate Keepers on the National Road.

Sec. 1. *Be it enacted by the General Assembly of the State of*

Two hundred  
dollars, and  
five per cent.  
in addition.

*Ohio*, That there shall be allowed annually by the Governor of this State, out of the road funds, to each of the collectors of tolls on the National road, at the rate of two hundred dollars, together with five per cent. on all money which they shall receive for tolls, over and above one thousand dollars, any former law to the contrary notwithstanding.

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

February 29, 1836.

#### AN ACT

To amend the act, entitled "An act to provide for the election of County Recorders, and prescribing their duties."

County commissioners  
may appoint  
recorder in  
certain cases.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the power of the county commissioners to appoint county recorders, shall be confined to cases where a vacancy in the office of the recorder has happened by removal from the county, death or resignation; and in all cases where the recorder's term of service would expire prior to an annual election, the successor shall be chosen at the annual election preceding such expiration; and if such election shall not be held, the incumbent shall continue in office until his successor shall be chosen and qualified.

Election shall  
not be contested  
where legal steps  
were not taken  
within legal  
time.  
Term of office

Sec. 2. In any election of county recorder that may have been heretofore made before any vacancy existed, such election shall not be contested or set aside, where legal steps were not taken within the time prescribed by law for contesting such election, but the recorders so elected, shall continue in office until the terms for which they were elected shall expire.

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

February 29, 1836.

#### AN ACT

Making temporary appropriations for purposes therein mentioned.

General Assembly.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the sum of ten thousand dollars be appropriated for the payment in part, of the Members, Clerks, and Door-keepers of the General Assembly, at the present session.

Sec. 2. That a sum not exceeding five thousand dollars, be appropriated for the payment in part of printing done for the State printing State.

Sec. 3. That the sum of sixty-six dollars and eighty-five cents be appropriated to the payment of the claim of Ashtabula county, for the sum advanced for extra expenses incurred in transporting a convict to the Penitentiary; and the sum of one hundred and twenty-five dollars and eighty-two cents be appropriated to the payment of the claim of I. G. Dryer, for furniture furnished for the use of the House of Representatives, and expenses incurred in covering the desks in the Hall for the use of the members and clerk, and also for one of the doors; and the sum of fifty dollars and thirty-seven cents be appropriated for the payment of Samuel Pease's claim for balance due him for painting the fence around the public square; and the sum of forty-six dollars be appropriated for paying Andrew M'Elvain, sheriff of Franklin county, for his services in attending to the Supreme Court in Bank, twenty-three days; and the further sum of sixteen dollars eighty-seven cents be appropriated for paying the account of Ludwig Keller, for twenty-two and a-half days sawing wood for the use of the State-house and offices; and the further sum of eighty-two dollars and twenty-five cents be appropriated for paying the account of I. G. Dryer, for sundry articles furnished, and labor performed in covering desks, &c. in Senate chamber, and providing a lamp in the State-house yard.

Ashtabula county costs of convicts.

I. G. Dryer.

Sam'l Pease's claim.

Andrew M'Elvain for attendance to court in Bank.

Ludwig Keller for sawing wood.

I. G. Dryer.

WILLIAM MEDILL,

*Speaker pro tem. of the House of Representatives.*

ELIJAH VANCE,

*Speaker of the Senate.*

March 4, 1836.

#### AN ACT

To organize a Board of Public Works.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of promoting and maintaining a general system of internal improvements within this State, and of uniting all its various branches under the same supervision, and direction, there shall be created a Board of Public Works, Board consist to consist of six members, to be appointed by joint resolution of the General Assembly, two of whom shall be denominated of six members. Acting Commissioners, and four Advising Commissioners: At Two acting and four advising commissioners. The first organization of the Board, one of the acting commissioners shall be appointed for one year, one for two years, and two of the advising commissioners shall be appointed for one year, and the other two for two years; and all subsequent appointments of acting commissioners shall be for two years, and Terms of office. of the advising commissioners for two years; subject to be re-

May be removed at any time by joint resolution of both branches of the Legislature: and any vacancy which may occur in said board from any other cause than the expiration of the term for which such appointment was made, shall be filled for the residue of such term.

**Canals and National road and other works placed under the care of the Board.** Sec. 2. That the charge and superintendence of the Canals of this State, of that part of the National road which has been, or may hereafter be completed and received by the State, and all other works of [internal] improvements that have been, or may be undertaken by the State, shall be and are hereby vested in said Board of Public Works, which board is hereby invested with all the powers, and required to perform all the duties heretofore conferred upon the Board of Canal Commissioners, and Superintendent of the National road, by the laws of this State now in force, and such other duties as may from time to time be enjoined upon it by the present or any future Legislature, and shall from time to time present to the consideration of the General Assembly, such object of internal improvement as they shall judge the public interest may require.

**Duties of the board.** Sec. 3. That the acting commissioners shall each receive an annual salary of fifteen hundred dollars to be paid quarterly out of any money in the treasury not otherwise appropriated, on the order of the board: and each advising commissioner shall receive three dollars per day, for each day he shall be employed in the duties of his appointment, and three dollars for every twenty-five miles travel in going to and returning from the sessions of the board, in lieu of the daily compensation for such time, which shall be in full for his services, to be drawn at the termination of each sitting of the board.

**Compensation of members of the board.** Sec. 4. That the board of Public Works shall supersede the board of canal Commissioners and Superintendent of the National road; and said board of Public Works shall assemble at the seat of government on the first Monday of April next, for the purpose of organizing said board; and when so assembled, shall be authorized to require of, and receive from the board of Canal Commissioners and Superintendent of the National road, all books, papers, contracts, vouchers, maps, charts, surveys, estimates, moneys and documents of every description of a public nature which may be in the possession of said canal board or superintendent of the national road; after which the functions of the present board of canal commissioners and superintendent of the national road, shall cease and determine.

**Boards of canal commissioners and superintendent of National road superseded, and shall deliver to board of public works, books, maps, &c.** Sec. 5. That the board of Public Works when assembled under the provisions of the preceding section, and at all other meetings thereof, shall keep a journal of their proceedings, which at all times shall be subject to the inspection of the General Assembly, or either branch thereof, or any committee appointed by the same, or by either branch thereof, or any other person authorized by said General Assembly to inspect the same, and said board shall have power to employ all such a

**Board of public works shall keep a journal.**



rents, engineers, assistants and laborers as the service by said board to be performed may require; also shall appoint all collectors of tolls on the Canals or National road, and prescribe their duties, and allow all such persons such compensation for their services respectively, as said board may deem just and reasonable, when such appointments or compensation shall not otherwise be provided for by law, and shall continue such persons in the employ of the State so long as by said board may be deemed necessary and no longer.

Sec. 6. That each of the advising and acting commissioners previously to entering into a discharge of the duties of their offices, respectively, shall take an oath or affirmation to support the Constitution of the United States and of the State of Ohio; and faithfully and impartially to discharge the duties of their offices; each acting commissioner, before he shall receive into his hands for disbursement, any public money, shall execute a bond to the State of Ohio, in a penal sum of ten thousand dollars, with two or more good and sufficient freehold securities, to be approved of by the Governor, conditioned for a faithful discharge of the duties of his office, and for the faithful accounting for all moneys intrusted to him as such commissioner; no acting commissioner shall be allowed to have in his hands, at any one time, more than ten thousand dollars, and every sum advanced to, or received by him shall be deemed to remain in his hands, until its application shall have been properly accounted for by the necessary vouchers; and the board shall assign from time to time to each acting commissioner in special charge, such part of the public works as they may deem the interest of the State shall require.

Sec. 7. That the State shall be divided into four districts; all that part lying south of the National road and east of the Scioto river, shall form the first district; all that part lying south of said National road and west of the Scioto river, shall form the second district; all that part of the State lying north of said National road and west of the Turnpike road from Columbus to Sandusky City, shall form the third district; and all that part of the State lying north of the National road, and east of the Turnpike road from Columbus to Sandusky, shall form the fourth district; one of each of the advising commissioners shall be appointed from each of the foregoing districts.

Sec. 8. That no allowance over and above the contract price shall be made by an acting commissioner to any contractor, unless such extra allowance shall be directed by the board of Public Works; which board shall have power to make such extra allowances as they may judge reasonable, to any contractor for work performed, or to be performed, and direct the same to be paid out of the proper fund, provided, such extra allowance shall not be made for, or include losses resulting to the contractor from the unfavorable terms of his contract, but shall be confined to an indemnity for extra expenses, and

To appoint  
collectors of  
tolls, &c. &c.  
and fix their  
compensation.

Commission-  
ers to take  
oath or affir-  
mation.

To give bond.

State to be  
divided into  
districts.

Board may  
make extra al-  
lowance to  
contractors.

In what case  
extra allow-  
ance shall be  
made.

labor in constructing the work contracted for, occasioned either by new directions given by an acting commissioner or engineer after making the contract, or where, in consequence of the work proving to be of a different character or description than it was contemplated to be by the acting commissioner or engineer at the time of the making of the contract: *Provided*, That nothing in this section shall be so construed as to apply to contracts made prior to the passage of this act.

When extra allowance is claimed, petition and proof shall be presented.

Sec. 9. That every contractor claiming an extra allowance shall present a petition in writing to the board of Public Works, stating the facts on which his claim is founded, and the sum demanded as an indemnity, and shall support his petition by such proof as the board shall require, and every such petition with the proof in support thereof, and the order of the board thereon, shall be preserved and filed in the office of the board, and said board at its first organization, and from time to time thereafter, shall have power to appoint or employ a secretary, and such clerk or clerks as they may deem necessary, and for such length of time as the public interest may require, and allow them such reasonable compensation for their services as said board may judge proper.

Board may employ clerks

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

March 4, 1836.

#### AN ACT

To authorize the Auditor of State to correct errors in excess of taxation in several counties.

Auditor of State to correct excess of taxation.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Auditor of State be, and he is hereby authorized on settlement with the treasurer of any county for the year 1836, to correct any error in excess of taxation in such county for the year 1834.

To certify to county auditors.

Sec. 2. That it shall be the duty of the Auditor of State to certify to each of the county Auditors of this State, wherein such excess of tax has been paid by the Treasurer of their respective county, the amount of such excess of tax at as early a time as practicable.

Amount of excess of tax to be refunded from the State Treasury.

Sec. 3. That the Auditor of State shall, on the order of the county Auditor of any county wherein such excess of tax has been levied and paid over, issue an order to the Treasurer of State requiring him to refund the same to the Treasurer of said county, subject to the order of the county commissioners, in whole or in part, for either State or county purposes, as to them shall seem most expedient.

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

March 4, 1836.

## AN ACT

In relation to incorporated Religious Societies.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That any religious society, hereafter incorporated by an act of the Legislature, shall have perpetual succession, by such name as may be designated, and by such name shall be legally capable of contracting, and of prosecuting and defending suits, and shall have capacity to acquire, hold, enjoy, and dispose of a house for public worship, with the land necessary therefor, not exceeding in quantity, one acre; a burying ground, for such society; a parsonage, not exceeding in value the sum of five thousand dollars; and any other property not exceeding in value the sum of five thousand dollars; and any other property not exceeding the annual value of one thousand dollars; which shall be applied to the support of public worship, and such institutions of learning and charity, as may be connected with such society, and to no other purpose.

*To have perpetual succession*  
*What property may be held, and for what purpose*

Sec. 2. That such society, when incorporated, may elect such officers, and make such rules as may be necessary and expedient for its own government, and the management of its affairs.

*May elect officers and make laws*

Sec. 3. That mesne process shall be served on the corporation, by leaving an attested copy thereof with any one of its officers, at least ten days before the return day thereof.

*Service of process*

Sec. 4. The Legislature may at any time repeal or alter an act incorporating any such society.

*Repealing power*

Sec. 5. That an act for the incorporation of Religious Societies, passed February 5th, 1819, and an act supplementary thereto, passed January 15th, 1821, be, and the same are hereby repealed; but no rights granted or acquired by proceedings under the said acts, shall be affected by the repeal; nor shall associations, constituted and organized under such acts, be dissolved, or in any way affected by such repeal.

*Acts repealed*

WILLIAM MEDILL,

*Speaker pro tem. of the House of Representatives.*

ELIJAH VANCE,

*Speaker of the Senate.*

March 5, 1836.

## AN ACT

To amend the "Act to provide for the regulation of Turnpike Companies," passed January 7, 1817.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Court of Common Pleas of any county through

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**Court of common pleas, to appoint inspectors To take an oath or affirmation** which any turnpike road does or shall hereafter pass, may, on application for that purpose, appoint three inspectors of turnpike roads, who shall hold their offices for one year and until their successors are appointed, and who are not interested in said roads; and shall, before entering upon the duties of their office, take an oath or affirmation for the faithful and impartial performance thereof.

**Duty of inspectors** Sec. 2. That if any turnpike company shall fail to keep its road in good repair, for five days successively, any person may file a complaint in writing before any two of said inspectors, setting forth the nature of the defect complained of, and designating the place on the road where it exists; and it shall be the duty of any two of said inspectors to meet at the place complained of within five days; and, of the time and place of meeting, reasonable notice shall be given to the gatekeeper nearest the place of meeting; and the inspectors shall then examine into the truth of the matter complained of, and if they shall find the complaint to be true, they shall send a certified copy of the complaint and of their finding thereon, to the keeper of each of the gates between which such defective place shall be; and thereafter no toll shall be received at such gates for the intermediate distance, until the parts of the road complained of shall be fully repaired; and if the keeper of such gate shall demand and receive toll contrary to the provisions of this act, he shall be liable to pay the sum of five dollars to the party injured, to be recovered by action of debt before any justice of the peace having jurisdiction; and the company moreover shall be liable to any person injured, for damages sustained by reason of such road being suffered to remain out of repair by the neglect of the company.

**Penalty**

**Inspectors fees**

Sec. 3. That inspectors shall be entitled to receive one dollar per day for their services, which shall be paid by the company if the complaint be sustained, and if it fail, then by the complainant; and to the amount so taxed, shall be added to the expenses of sending the notices to the gatekeepers as required by this act, which shall be paid as aforesaid.

**Associate Judges may appoint inspectors**

Sec. 4. Should there be no board of inspectors in any county, and a turnpike road shall be out of repair, any associate judge, on application therefor, may appoint three inspectors to examine into the complaint, who shall proceed to act in the particular case complained of, with the same powers, and in the same way, as if appointed by the Court.

**Repealing clause**

Sec. 5. The thirteenth section of the act to which this [is] amendatory, is hereby repealed.

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

March 10, 1836.

## AN ACT

Further to amend an act, entitled "An act to provide for the proof, acknowledgment, and recording of deeds and other instruments of writing," passed February 22d, 1831.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That when the mortgagee of any property within this State shall have received payment of the money due to him, and secured by the mortgage, and shall have entered, or may hereafter enter satisfaction or a receipt for the same, either on the mortgage or on the record of the mortgage; such satisfaction or receipt so recorded, shall operate and be taken to release the said mortgage to whoever may be entitled to a release.

Sec. 2. That the recorder of deeds of each county, when hereafter recording a mortgage, shall leave space on the margin of the record for the entry of satisfaction; and shall record therein the satisfaction made on said mortgage, or permit the mortgagee to enter therein the satisfaction of said mortgage; which record shall have the same force and effect as the record of a release of said mortgage; and the recorder shall be entitled to demand and receive the sum of twenty-five cents, and no more, for recording such satisfaction of a mortgage, or permitting the same to be recorded as aforesaid by the mortgagee.

Sec. 3. Nothing in this act contained shall be construed as a declaration that any former or existing practice of entering satisfaction or releases, in the manner herein authorized, shall be held as invalid.

WILLIAM MEDILL,

*Speaker pro tem. of the House of Representatives.*

ELIJAH VANCE,

*Speaker of the Senate.*

March 12, 1836.

## AN ACT

To provide for the support and better regulation of Common Schools.

WHEREAS, It is provided, by the Constitution of this State, that schools, and the means of instruction, shall forever be encouraged by Legislative provisions: Therefore,

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That a fund shall hereafter be raised, in the several counties of this State, in the manner pointed out by this act, for the use of common schools, for the instruction of white youth in reading, writing, and arithmetic, and other necessary

Proviso

branches of education: *Provided*, That nothing in this act contained, shall prevent white persons, above the age of twenty-one years, from participating in the benefits of said schools, who may pay into the hands of the Treasurer of the district in which they may reside, such sums of money as may be agreed upon by the directors; for the use and benefit of the School fund of said district. and be applied as contemplated by the thirty-third section of this act.

Amount of school tax and how levied and collected

Sec. 2. That for the purpose and use aforesaid, there shall be annually levied and assessed, upon the *ad valorem* amount of the general list of taxable property, in each county of this State, the property of blacks and mulattoes excepted, one and a-half mill on the dollar: which assessment shall be made by the county auditor, and collected by the county treasurer, in the same manner as all other taxes for State and county purposes are directed by law to be levied and collected: *Provided*,

Proviso

That the county commissioners of any county may, if they deem it expedient, at their annual session in June, direct the

That the county commissioners may increase tax

auditor of their county to levy, for the purpose aforesaid, one half mill on the dollar, of the valuation of the taxable property in such county, in addition to the sums above named: *Provided*,

Proviso, that the township trustees may propose to the inhabitants an additional tax

That if the county commissioners deem it inexpedient to levy such additional tax for school purposes, it shall be lawful for the trustees of any township, to propose to the inhabitants of their township to levy an additional tax not exceeding one mill and a-half on the dollar, and to call a meeting of the qualified voters of the township, on the first Monday of April, or at such other

Inhabitants to vote by ballot, for or against such additional tax

time as they see fit, to vote for or against such tax. If, at any time of such meeting, a majority of the votes given (which shall be by ballot,) shall be in favor of such tax, the result of such vote shall be certified by said trustees to the county auditor, who shall enter the same upon the duplicate, and deliver the same for collection with other taxes, in said township, previous notice of every such meeting, specifying the rate of tax to be levied, shall be posted up at three public places in the township for twenty days, and also published in some newspaper, if any be printed in the county; or, if the trustees of any township shall file in the Auditor's office petitions, signed by a majority of all the legal voters in such township, praying an increase of the school tax to an amount not exceeding one mill and [a] half on the dollar, the county commissioners shall, thereupon, provide for the collection of a further tax in such township as prayed for; and like proceedings may be had in any incorporated city, for an increase of school tax therein, the council of said city performing the same duties herein assigned to township trustees.

Notice to be given

Incorporated cities may proceed in same manner

Township trustees to lay off, and alter school district

Sec. 3. That the trustees of each incorporated township in this State, where the same has not been already done, shall lay off their townships into school districts, in the manner most convenient for the population and different neighborhoods

whereof, paying due regard in so doing, to any school house already erected, school districts already laid off, incorporated schools, and to schools in villages, or populous towns; and they may, from time to time, make such alterations in the districts, as, in their opinion, the general good of the township, and the convenience of the inhabitants, may require: *Provided*, That no alteration of any district shall be made, unless notice of the time and place at which the trustees will meet, for the purpose of making the same, shall have been posted up in three public places, in each district in which an alteration is [contemplated] completed at least twenty days prior to such meeting. Provide

Sec. 4. That when public convenience requires a school district to be formed, as to include a portion of two or more adjoining townships, whether such townships be in the same county or not, a majority of the trustees of such adjoining townships, may meet, and lay off a district in such manner, as will best suit the population of their respective townships; and such district may, at any time, be altered by a majority of the trustees of such adjoining township, under the restrictions contained in the preceding section of this act: *Provided*, That the concurrence of a majority of the trustees of each township, shall be necessary for the formation or alteration of any such district. Districts, including portion of two or more townships, may be laid off or altered  
Provide

Sec. 5. That it shall be the duty of township trustees, immediately after laying off, or altering any district in their respective townships, to describe and number the same, and to deliver the number, and description thereof, to the clerk of the township, who shall record the same in the township records; and when any district shall be laid off from two or more adjoining townships, or, being laid off, shall be altered, the number of such districts, and a description of the several parts thereof, lying in the different townships, shall be signed by a majority of the trustees of each township, and a copy thereof delivered to the clerks of the respective townships, and by them recorded as aforesaid. Description of district to be recorded by township clerk

Sec. 6. That it shall be the duty of the township clerk, in each township, within twenty days after he shall have recorded the same, to deliver the number and description of each district, and part of district, in his township, and a description of such alterations as shall be made therein, by the trustees, from time to time, to the county Auditor of his county, who shall file the same in his office. When recorded, to be delivered to the county auditor

Sec. 7. That when any school district shall be laid off, agreeably to the provisions of this act, any householders may, for the purpose of organizing the same, call a meeting of the householders residing therein, by posting up notices in three public places, in said district, of the time and place, and object of holding such meeting, not less than ten days previous to such meeting: and such meeting, when convened and organized, by choosing a chairman to preside, shall choose a district Districts, how organized

clerk, who shall keep a record of all the proceedings of district meetings in such districts; three school directors, to manage the concerns of the district, and a district treasurer; all of whom shall hold their offices, until the first annual meeting thereafter, of said district, and until their successors are chosen.

**Annual district meeting to be held** Sec. 8. That there shall, hereafter, be an annual district meeting, in each organized school district, which shall be held on the third Friday of October, in each year, at such school house as the school directors of the respective districts shall appoint at the school house in said district, if there be one, and if there be none, then at such place as the school directors of such district shall appoint; and, at all such annual meetings, they may transact all the ordinary business of the district, and shall elect three school directors, a district clerk, and a district treasurer, for the ensuing year, who shall hold their respective offices until the next annual district meeting, and until their successors are chosen.

**To elect three directors Officers elected for one year**

**In failure to make an election, a meeting may be called by any householder** Sec. 9. That if the householders of any district, shall fail to meet on the day appointed in this act, for the annual district meeting, or if, from any other cause, there be no election at said annual district meeting, any [house]holder, residing in the district, may call a meeting for the election of officers, in the manner prescribed in the seventh section of this act; and the persons elected at such meeting, shall hold their offices until the next annual meeting, and until their successors are chosen.

**When vacancies of school directors occur** Sec. 10. That when a vacancy or vacancies shall occur in the office of school director by death, resignation, refusal to serve, or neglect of the district to elect their officers in the manner specified in the preceding section, or from any other cause, it shall be the duty of the trustees of the township in which such district, or the greater part of it, may be situated, on application made to them for that purpose, by any inhabitant of such district, to appoint some suitable person, or persons, to fill such vacancy, or vacancies, who shall perform the duties required of school directors by this act, and shall hold his or their office, or offices, until the next annual meeting, or until his or their successor, or successors, are chosen; and in case there should be a vacancy by death, resignation, or otherwise, in the office of clerk or treasurer of any school district, it shall be lawful for the directors to fill the same.

**Township trustees shall fill the same**

**Special meetings, how called** Sec. 11. That whenever, in the opinion of the school directors, a special meeting may be necessary, they may call the same, by posting up notices of the time and place, and object of such meeting, in three public places in the district, at least ten days prior to such meeting.

**Directors may call a special** Sec. 12. That whenever the school directors may deem it necessary to purchase a lot, to erect, repair, or complete a school house for their district, or to furnish such house, or to



make any improvements on the school house lot belonging to the district, they may call a special meeting, in the manner prescribed in the preceding section of this act, with this difference, that the notices shall be posted up at least twenty days prior to such meeting; and such meeting shall decide whether a tax shall be levied for any of the purposes aforesaid, the amount thereof subject to the restrictions hereinafter specified, and the time within which the same shall be paid; and, at such meeting, all persons liable to taxation for the purposes aforesaid, and residing within the district, shall, if present, be allowed a vote; and no such tax shall be assessed, except by a vote of two-thirds of the voters present at such meeting; when any school district shall wish to sell, or dispose of any school house now erected, or the lands or lot belonging to said district, the directors may sell and dispose of the same, and appropriate the money arising from such sale to the erection or purchase of another school house: *Provided*, Two thirds of all the voters in such district recommend such sale at a meeting called by the trustees, by notice of the time, place, and object of such meeting.

meeting to determine whether a tax shall be levied for the erection of school house, &c.  
Any district may sell S. house or lands of said district and apply money to the erection of another  
Proviso

Sec. 13. That the amount of tax shall not exceed fifty dollars in any one year, unless at least one-third of the property subject to taxation within the district, be owned by persons residing therein; and in case one-third, or more, but less than half of the taxable property within the district, be owned by persons residing therein, such tax shall not exceed one hundred dollars; and in case one half or more, but less than two-thirds of such property, be owned by persons residing in such district, such tax shall not exceed one hundred and fifty dollars; and in no case shall such tax exceed three hundred dollars in any one year.

Sec. 14. That the site of the school house, shall be agreed on and designated by a district meeting, and a title secured previous to the assessment of any tax for the erection of such house; and no tax for any purposes named in the thirteenth section of this act, shall be levied on any land lying more than three miles from the site of the school house to be erected, completed or repaired; and no land of any non-resident proprietor, once taxed for the purposes aforesaid, shall, by any alteration of districts, be again subject to taxation, for the like purposes, for the term of three years, from and after the assessment of such tax.

Site of the S. house shall be fixed by district meeting  
What land not subject to school house tax

Sec. 15. That if the meeting convened for that purpose, decide that such tax shall be levied, the school directors shall apply to the Auditor of the county, who, upon being furnished with a list of the names of all persons liable to taxation, within such school district, shall furnish said directors with an abstract of all the property, within said district, subject to such tax, not including the property of any black or mulatto persons; and the said directors shall levy upon such property

Tax, how levied  
Property of

the amount of tax so agreed on by the meeting, and shall cause a duplicate thereof to be made out by the district clerk, or some other suitable person, and delivered to the district treasurer for collection; and, in making out such duplicate, each householder residing in such district, on whose property such tax would not amount to twenty-five cents, shall be charged with twenty-five cents; and the school directors may, at their discretion, commute any tax assessed under the provisions of this section, for labor or materials, to be applied under their direction, to the erection, completion, or repair of a school house, in their district.

**Sec. 16.** That when it shall become necessary to divide any school district, wherein a school house has been erected, and such division shall be made, as, that the school house of the old district, shall be so situated as not to accommodate either of the new districts, the directors of the old district shall sell the same to the highest bidder, after giving notice of the time and place of sale, which notice shall be posted up at three public places within said district, at least twenty days previous to the day of sale; and the said directors shall cause the avails of said sale, to be divided between the districts which compose the old district, in proportion to the amount paid in constructing said house; but if, in such division of districts, the school house of the old district shall be so situated as to accommodate one of the new districts, said house shall be appraised at its value in cash, by three disinterested freeholders, under the direction of said directors; and said new district, retaining said house, shall pay to the other district, or districts, such proportion, or proportions, of said appraisal, as may correspond with its, or their, respective interest in said house.

**Sec. 17.** That if the county auditor, when making an abstract of taxable property in any school district, as required in this act, shall find any tract of land to be divided by the boundary line of such district, as that part of a tract lies within three miles from the site of the school-house for said district, and part thereof, more than three miles from such site, he shall determine, from the best information in his possession, what proportion of such tract is situated within such district, and within three miles from the site of the school-house, and make out such abstract accordingly; and the tax assessed on such part of a tract, shall be as valid, as if the whole were subject to taxation within such district, and taxed entire.

**Sec. 18.** That the district treasurer, before he shall receive any tax, duplicate, or any money belonging to his district, shall give bond to the directors of his district, and their successors in office, in such sum, and with such security, as shall be approved by the said directors; which bond shall be filed with the district clerk, and by him recorded.

**Sec. 19.** That the district treasurer, to whom a tax duplicate shall be delivered for collection as aforesaid, shall, within

black and mulatto persons, exempt from tax

May be commuted for labor or materials

When district divided, former school house may be sold in certain cases.

Manner of sale.

Avails to be divided.

School-house to be appraised in certain cases.

How to proceed when part of a tract is subject to taxation and part not.

District treasurer to give bond.

Duty of dis-

the time prescribed by the district meeting for the payment of such tax, personally demand the same of the several persons in collecting charged thereon, if to be found within his county; if such tax be not paid before the expiration of the time prescribed, such district treasurer may then collect the same by distress, and sale of personal property, in the same manner as county treasurers are authorized to do, in the collection of State and county taxes, and shall be allowed the same fees for his services, <sup>Treasurers fees.</sup> under the provisions of this section, as are allowed to county treasurers for like services; and if the tax so assessed on real property, shall remain unpaid for the space of three months after the expiration of the time, prescribed as aforesaid, for the payment thereof, and if sufficient personal property belonging to such persons, cannot be found within the county; whereof to make such tax by distress and sale, the district treasurer shall then report such delinquent to the auditor of the county; <sup>To report delinquent.</sup> and said auditor, in making out the duplicate of State and county taxes next thereafter, shall enter such delinquent district tax in a marginal column of such duplicate, and on a line with State and county taxes on the same property; and such delinquent tax shall be collected by the county treasurer at the same time, and in the same manner, as the State and county taxes, charged on the same property, are by him collected; <sup>Delinquent tax shall be collected by the county treasurer.</sup> and, when so collected by the county treasurer, shall be, by him, paid to the treasurer of the school district in which such property is situated, on the order of the county auditor.

Sec. 20. That the directors of each school district, and their successors in office, shall be a body politic and corporate in law; and, as such, shall be capable of contracting, and being contracted with, suing, and being sued, pleading, and being impleaded, in any court of law or equity in this State; and, as such, shall be capable of receiving any gift, grant, donation, or devise, made to, and for the use of such district, and may receive a deed of conveyance, or lease, for any land whereon to erect a school-house; which deed, or lease, shall be made to the school directors, and their successors in office, for the sole use of such district: they may, when authorized by a district meeting, contract, on behalf of such district, for the erection, completion, or repair of a school-house; they may employ a school teacher, or teachers, if necessary, male or female, for their district, may ordain and establish by-laws, and shall manage and superintend the concerns of the school or schools therein, and faithfully appropriate and expend, in the support of such school or schools, all subscriptions, donations, dividends of school funds, and other moneys belonging to their respective districts, for that use; they shall annually settle with the treasurer of their respective districts, and examine their vouchers; and in settling with any district treasurer, who shall have received a duplicate of taxes for collection, as hereinbefore provided, they may exonerate such treasurer from all liability on account of <sup>School directors made a corporate body.</sup> <sup>Their power and duties.</sup> <sup>To settle with the Treasurer</sup>

Entry of settlement to be made.

Two directors may transact business.

Proviso.  
District S. to be kept in district school house.

Shall keep accounts.

Township treasurers to pay school money to district treasurers.

Fuel how provided.

Indigent persons exempt.

Persons liable for, and not providing fuel may be sued.

such taxes, as they shall be satisfied he has been unable to collect; and a statement of every settlement so made with the treasurer, shall be entered in the books of the treasurer, and signed by the directors; and the directors shall perform all such other lawful acts, as may from time to time be required of them, by any district meeting in their respective districts; and in all cases, the concurrence of any two of them, will be sufficient for the transaction of business: *Provided*, That no school shall be taught in any district school-house, without first obtaining the consent of the directors of such district, or a majority of them; and no school shall be regarded as a district school, unless the same be kept in the district school house, if there be one, or in such place as the directors shall provide as such district school-house.

Sec. 21. That all moneys that shall come into the hands of any district treasurer, belonging to his district, shall be by him paid over, on the written order of the directors of such district, and not otherwise; and all such orders, received and paid by the treasurer, shall be by him carefully filed and preserved; he shall also keep a book, in which he shall enter an account of all receipts and disbursements on account of his district; and, at the expiration of his term of service, shall deliver to his successor in office, all books, papers and moneys, in his hands, belonging to his district.

Sec. 22. That all money which shall come into the hands of the trustees, or treasurer, of any original surveyed township in this State, accruing from the rents of any school land belonging to such township, shall be by them annually paid over to the treasurer of their respective school districts, or parts [of] districts, in such township, in proportion to the number of scholars in each district, or part of district, between the ages of four and twenty-one years; and all the money which shall come into the hands of the treasurer of any civil township, for the use of schools therein, shall be annually apportioned, and paid over, in like manner, to the treasurers of the several districts in such townships.

Sec. 23. That it shall be the duty of every person sending a child to any district school, to provide his just proportion of fuel for the use of such school, which proportion shall be determined by the directors of the district, according to the number of children sent by each; but such indigent person as, in the judgment of the directors, shall be unable to provide the same, shall be exempted.

Sec. 24. That if any person, liable to provide such fuel, shall not provide the same, on notice from any one of the directors, it shall be the duty of the directors to furnish such fuel, and to charge the person in default, the value of, or amount paid for, the fuel furnished; and such director may sue for, and recover the same, with costs.

Sec. 25. That the clerk of each school district, shall attend

all district meetings, and record in a book, to be provided for that purpose, all the proceedings of such meetings, stating therein the time and place at which such meeting was held, and the object for which the meeting was convened, and the names of all the district officers elected; and if the meeting be convened under the provisions of the thirteenth section of this act, the clerk shall state in his record, the names and number of those who voted in favor of, and against a tax, and the time agreed on by the meeting for the payment of such tax, and no such record shall be invalid for want of form, provided it contain the substance: *Provided*, That all meetings for the purpose of deciding whether a tax shall be levied for any of the purposes specified in this act, and the amount of such tax, less than a majority of the householders of the district in which such meeting is held, shall not be considered a quorum for the transaction of business: the vote agreeing to such tax, or the petitions praying the same shall be filed in the Auditor's office, on or before the first Monday in June annually.

Clerk shall attend district meetings, and keep a record of their proceedings.

Voters names to be recorded

Less than a majority of householders not a quorum.

Sec. 26. That the record kept by the district clerk may, at any time, be inspected by any householder residing in the district; and the clerk shall make out, and deliver to any person demanding the same, whether residing in such district or not, a certified copy of such record, or of such parts thereof, as shall be demanded, on being paid, therefor, at the rate of ten cents for every hundred words contained therein; and such certified copy, shall be received, in all courts and places, as prima facie evidence of the truth of the matters therein contained.

Certified copies may be demanded of clerk.

Made evidence.

Sec. 27. That the clerk of each school district shall, annually, on the first Friday of November, take a list, or enumeration, in writing, of all the white youth in his district, between the age of four and twenty-one years, not including any who are married, and shall return the same to the auditor of his county, with his certificate endorsed thereon, that the same is a true enumeration, to the best of his knowledge; and such clerk shall be paid for taking such enumeration, by the treasurer of his district, on the orders of the directors, the sum of one dollar and fifty cents; and if any district clerk shall fail, or neglect to take such enumeration, as specified in this section, he shall forfeit and pay for every such failure, or neglect, the sum of five dollars, to be collected by the treasurer of his district, before any justice of the peace, in the township in which said district, or any part of it, may be situated, and applied by the directors, as specified in the twentieth section of this act: *Provided*, That if by sickness, or any other unavoidable cause, the district clerk shall be prevented from taking the aforesaid enumeration, on the [first] Friday of November, as aforesaid, it shall be lawful for him to proceed, at any time within four weeks thereafter, to take such enumeration, but with reference to the aforesaid day.

Enumeration when and how taken.

Clerk to be paid.

Penalty for neglect.

Proviso.

**Sec. 28.** That if any school district shall be partly situated in an original surveyed township, or fractional township, to which belongs any of section sixteen, or other lands in lieu thereof, granted by Congress for the use of schools in such township, or fractional township, or to which belongs any interest arising from the moneys for which such lands have been sold, the clerk of such district shall, in taking the annual enumeration of youth therein, as required in the preceding section,

Separate enumeration to be taken. enumerate, separately, those residing in that part of the district situated in such original surveyed townships, or fractional townships, and where any district comprises a part of two or more civil townships, the clerk shall specify, in the enumeration of the youth, the township in which they severally reside.

**Sec. 29.** That the district clerk, at the expiration of his term of service, shall deliver to his successor in office, all the books, records, and papers, in his possession, relating to his school district.

**Sec. 30.** That the auditor of each county shall, immediately after his annual settlement with the county treasurer, apportion to the several school districts in such county, all the money then in the treasury of such county, for the use of schools therein, as follows, to wit: All the money collected on the tax duplicate of any township, for the use of schools, shall be apportioned to the several districts, and parts of districts, in such townships; all the money received from the State treasury, on account of interest on the money accruing from the sale of section sixteen, or other lands in lieu thereof, shall be apportioned to the several districts, and parts of districts, in the original surveyed townships, or fractional townships, to which such land belongs; all moneys received by the county treasurer, on account of the Virginia Military School Fund, shall be apportioned to the several school districts, and parts of districts, within the county, lying within the Virginia military district; and all other moneys for the use of schools in the county, shall, if its appropriation is not otherwise directed by law, be apportioned to all the districts in the county; and all such apportionments shall be made to the several districts, and parts of districts, in proportion to the number of youth therein, as returned by the district clerk, in November next preceding.

**Sec. 31.** That the county auditor shall open an account with each school district in his county, in a book to be kept by him for that purpose; and if any district in his county shall comprise [a portion] of two or more original surveyed, or civil townships, he shall open an account with the parts of districts situated in the different townships, and he shall credit each district, with its annual apportionment, to be made as aforesaid, of the school fund in the county treasury, and on the application of the treasurer of any district, at any time after such apportionment shall have been made to the auditors, shall give to

Auditor to open an account with each school district, &c.

Duty of county auditor in apportioning school funds to the several districts.

When part of district is situated in original surveyed township, &c.

such treasurer an order on the treasury of the county, for the amount so credited to his district, or part of district, and shall charge the district, or part of district, therewith: *Provided*, <sup>Proviso.</sup> That the district treasurer, applying for such order, shall first produce to the auditor, a certificate, signed by at least two of the directors of the district, and countersigned by the clerk, stating that such district treasurer has been duly elected, and has given bond according to law.

Sec. 32. That to secure uniformity in the certificates of the directors of the school districts, to empower the treasurer to draw the money for the school district, the following form shall be observed: We do hereby certify, that A. B. was duly elected treasurer of school district No. \_\_\_\_\_ in the township of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ the district treasurer to draw money. and \_\_\_\_\_ has given bond according to law. Given under our hands, this \_\_\_\_\_ day of \_\_\_\_\_

(Signed,) A. B. }  
C. D. } *School Directors.*  
E. F. }

(Countersigned,) }  
G. H. Clerk. }

Sec. 33. That all money which shall come into the treasury of any school district, for the use of schools therein, shall be appropriated, on the order of the directors, to the payment of the teachers of schools in such district, and for the payment of the clerk of such district for taking and returning the enumeration of scholars in such district, and to no other purpose whatsoever; and no order, presented by any teacher to the district treasurer, shall be by him paid, unless such teacher, at the same time, exhibit such a certificate of qualification and moral character, from the examiners of schools in the township, as is required by the thirty-eighth section of this act. <sup>How school fund to be applied.</sup> <sup>Teacher must exhibit certificate.</sup>

Sec. 34. That when any appropriation shall be made by the directors of any school district, from the treasury thereof, for the payment of a teacher, they may apportion the funds to the different divisions of the year, during which time the [school] shall be open to all white youth under the age of twenty-one years, residing within such district; and if the sum so appropriated and applied to the payment of the teacher, shall not be sufficient to pay the whole amount of his wages, the residue thereof, if not raised by voluntary subscription, shall be paid by those sending to such school, in proportion to the number of scholars by them respectively sent to said school, and the time they shall attend the same; and it shall be the duty of such teacher, to keep an accurate account of the number of scholars sent by each person, and the length of time the same may have attended; and such account, so kept, when sworn to by such teacher, shall be deemed legal evidence in any court: *Provided*, That no money in the treasury, applicable to the payment of teachers, shall be so applied, unless the school to be taught, shall continue three months; and <sup>Directors may apportion funds to different divisions of the year.</sup> <sup>School to be free.</sup>

Proviso.

no such money, applicable to the payment of teachers, shall be divided and distributed to the teachers of schools within the bounds of the district, unless they be regular district schools, within the meaning of this act: *Provided, also,* That in those districts comprising a part of two or more original surveyed or civil townships, the school fund shall be so applied, that the several parts of the district divided by township lines, shall receive the benefit of their separate funds.

When districts are not organized in any township for three years funds to be apportioned to other townships.

Sec. 35. That if any township, already organized, shall not, within three years after the passage of this act, and any township hereafter organized, within three years from the organization thereof, be districted according to the provisions of this act, and some district therein organized, all the money collected on the tax duplicate of such township, for the use of schools, shall be paid by the auditor of the county, and appropriated to the organized districts in the other townships of his county, and he shall so continue to do until such townships be districted, and some district therein organized; and all the money for the use of schools, collected on the tax duplicate of any unorganized township, shall be retained in the county treasury, until such township shall be organized, and for three years thereafter, unless sooner districted, and some district therein organized, according to the provisions of this act.

School examiners how elected.

Sec. 36. That on the first of April, annually, the electors of each and every township in this State, shall elect, in the same manner as township officers are elected, three persons, whose duty it shall be to serve as school examiners, in their respective townships, and on failure of the electors to elect such school examiners, the Court of Common Pleas of the county, shall, on the request of any two school directors, appoint three examiners for such township.

Duty of school examiners.

Sec. 37. That it shall be the duty of said school examiners, or any two of them, to examine all persons applying for examination, to become teachers of common schools; but said school examiners shall, in no case, give a certificate for a longer period than one year, nor to any person as teacher, unless he or she be found qualified to teach reading, writing, and arithmetic, and sustains a good moral character.

Form of certificate to teachers.

Sec. 38. That to secure uniformity in the certificates of qualifications granted to teachers, the following form shall be observed: The undersigned, school examiners of the township of \_\_\_\_\_ do certify, that we have examined A. B. and find him, or her, (as the case may be,) qualified to teach reading and arithmetic, and are satisfied that A. B. sustains a good moral character. Given under our hands, this \_\_\_\_\_ day of \_\_\_\_\_

(Signed,) C. D. }  
E. F. } *Examiners.*  
G. H. }

Sec. 39. That all suits brought in behalf of any school district, except such as shall be brought against the treasurer,



thereof, shall be brought in the name of the district treasurer, for the use of such district; and when any suit in behalf of, or against, any district, shall be entered in the Court of Common Pleas, or Supreme Court, of any county in this State, whether an original suit, or entered by way of appeal, or certiorari, the Prosecuting Attorney of such county, shall attend to the prosecution or defence thereof, in behalf of such district, as a part of his official duties; and, in all suits against any district, leaving an attested copy of the process with the district clerk, shall be considered as sufficient service thereof.

*Suits for and against school districts, how brought, &c.*

Sec. 40. That it shall be the duty of the clerk of each school district to make return to the Auditor of the county in which such district is situated, after the first, and before the third Friday of November, annually, of the number of children entitled to the benefit of the school fund belonging to such county, between the ages of four years and twenty-one years, in said district; the length of time a school has been kept in said district during said year, distinguishing the time said school was supported by the school fund and taxation, with the amount of each, from the time it was supported by subscription; the number of children taught in each district during said year; the whole amount of money expended for tuition in said district school, and from what sources derived, whether from a school fund, specifying the same, from taxation or from voluntary subscription, setting down separately the amounts derived from each source; the amount paid in said district for school houses, or repairs thereof; distinguishing that raised by tax, from that paid by voluntary contribution; and that it shall be the duty of the Auditor of each county to return an abstract statement thereof for such county to the Auditor of State immediately, who shall report the same to the General Assembly as early as practicable after the commencement of each session.

*Clerk of school districts to make return of the number of children etc. to the county auditor.*

*Duty of county auditor to return abstract to auditor of State.*

Sec. 41. That the Court of Chancery, in this State, may enjoin the collection of any tax, for the erection, repair, or completion of a school house, when satisfied that the assessment thereof is illegal.

*Court of chancery may enjoin the collection of tax when illegal in certain cases.*

Sec. 42. That the act entitled "An act to provide for the support and better regulation of Common Schools," passed February twenty-eight, eighteen hundred and thirty-four, be, and the same is hereby repealed: *Provided*, That the acts done, obligation incurred, and the rights acquired, under the provisions of said act, shall remain, and be in no wise altered, or affected, by this act.

*Act repealed.*

*Proviso.*

Sec. 43. This act to take effect, and be in force, from and after the first day of April next.

**WILLIAM MEDILL,**

*Speaker pro tem. of the House of Representatives.*

**ELIJAH VANCE,**

*Speaker of the Senate.*

March 12, 1836.

## AN ACT

To fix and apportion the Representation in the General Assembly of the State of Ohio.

**Number of  
Senators and  
Representa-  
tives.**      **Sec. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the General Assembly of this State shall be composed of thirty-six Senators and seventy-two Representatives, to be apportioned among the several counties as follows, to wit:

**Apportioned  
among the  
several coun-  
ties.**

To the county of Ashtabula, one Representative; also, one additional Representative to be elected in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine.

The county of Geauga two Representatives; and the two counties named, one Senator;

To the county of Cuyahoga, one Senator and one Representative; also, one additional Representative to be elected in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight;

To the county of Lorain, one Representative; the county of Medina one Representative, and the two last named counties, one Senator;

To the county of Huron, one Senator and one Representative; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty eight;

To the county of Trumbull, one Senator and two Representatives;

To the county of Portage, one Senator and two Representatives;

To the county of Columbiana, three Representatives; the county of Carroll, one Representative; and the two last named counties one Senator;

To the county of Stark, one Senator and two Representatives;

To the county of Wayne, one Senator and one Representative; also, one additional Representative to be elected in the year one thousand eight hundred and thirty-nine;

To the county of Richland, one Senator and one Representative; also, one additional Representative to be elected in the year one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine;

To the county of Knox, one Representative; also, one additional Representative to be elected in the year one thousand eight hundred and thirty-six; the county of Coshocton, one Representative;

To the county of Holmes, one Representative; and the two last named counties one additional Representative to be elect-

ed in the year one thousand eight hundred and thirty-seven; and the said counties of Knox, Coshocton and Holmes, one Senator;

To the county of Tuscarawas, one Representative; the county of Harrison, one Representative; and the two last named counties, one Senator; also, one additional Representative to be elected in the year one thousand eight hundred and thirty-six;

To the county of Jefferson, one Senator and one Representative;

To the county of Belmont, one Senator and one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-nine;

To the county of Guernsey, one Representative; the county of Monroe, one Representative; and the two last named counties, one Senator;

To the county of Muskingum, one Senator and one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred [and thirty] seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine;

To the county of Licking, one Senator and two Representatives;

To the county of Perry, one Representative; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty-six; the county of Morgan, one Representative; the county of Washington, one Representative; and the three last named counties, one Senator;

To the counties of Fairfield and Hocking, one Senator and one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-nine;

To the county of Franklin, one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight; the county of Pickaway, one Representative; and the two last named counties, one Senator;

To the counties of Ross, Pike, and Jackson, one Senator and two Representatives; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty-six;

To the counties of Lawrence, and Gallia, one Representative; the counties of Meigs and Athens, one Representative; and the four last named counties one Senator;

To the counties of Brown, Adams, and Scioto, two Representatives, and one Senator;

To the county of Clermont, one Senator, and one Representative;

To the counties of Clinton, and Highland, one Representative, to be elected in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight, and one Representative, each, to be elected in the years one thousand eight hundred and thirty-six, and one thousand eight hundred and thirty-nine; and the two last named counties, one Senator;

To the county of Hamilton, two Senators and two Representatives; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-six, and one thousand eight hundred and thirty-seven;

To the county of Warren, one Senator and one Representative;

To the county of Butler, two Representatives; the county of Preble, one Representative; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty-six; and the two last named counties, one Senator;

To the county of Montgomery, one Senator, and one Representative; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty-eight;

To the county of Green, one Representative; the counties of Fayette, and Madison, one Representative; and the three last named counties, one Senator;

To the county of Clark, one Representative; the counties of Champaign and Logan, one Representative, to be elected in the year one thousand eight hundred and thirty-six; and one Representative, each, to be elected in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, one thousand eight hundred and thirty-nine; and the three last named counties, one Senator;

To the counties of Miami, Dark, and Mercer, one Senator, and one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine;

To the county of Delaware, one Representative; the counties of Union, Marion, and Crawford, two Representatives; and the four last named counties, one Senator;

To the counties of Seneca and Sandusky, one Senator and one Representative;

To the counties of Lucas, Wood, Henry, Williams and Hancock, one Representative, to be elected in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine; the counties of Paulding, Putnam, Van Wert, Allen, Hardin, and Shelby, one Representative, to be elected in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine; and the said counties of Lucas, Wood, Henry, Hancock, Williams, Paulding, Putnam, Van

Wert, Allen, Shelby, and Hardin, one Representative, to be elected in the year one thousand eight hundred and thirty-six; and the eleven last named counties, one Senator.

Sec. 2. That when two or more counties elect, in common, Senators and Representatives, the judges of the election shall be governed by the provisions of the act entitled "An act to regulate elections."

The abstract of votes given for Senator in the county of Ashtabula, shall be transmitted to the clerk of the court of common pleas of Geauga county;

The abstract of votes given for Senator in the county of Lorain, shall be transmitted to the clerk of the court of common pleas of Medina county;

The abstract of votes given for Senator in the county of Carroll, shall be transmitted to the clerk of the court of common pleas of Columbiana county;

The abstract of votes given for Senator in the counties of Coshocton and Holmes, shall be transmitted to the clerk of the court of common pleas of Knox county;

The abstract of votes given in the county of Holmes for the Representative to be elected in common, with the county of Coshocton in the year one thousand eight hundred and thirty-seven, shall be transmitted to the clerk of the court of common pleas of Coshocton county;

The abstract of votes given for Senator in the county of Tuscarawas, shall be transmitted to the clerk of the court of common pleas of Harrison county;

The abstract of votes given in the county of Tuscarawas, for the Representative to be elected, in common, with the county of Harrison, in the year one thousand eight hundred and thirty-six, shall be transmitted to the clerk of the court of common pleas of Harrison county.

The abstract of votes for Senator in the county of Monroe, shall be transmitted to the clerk of the court of common pleas of Guernsey county;

The abstract of votes given for Senator in the counties of Perry and Washington, shall be transmitted to the clerk of the court of common pleas of Morgan county;

The abstract of votes given for Senator or Representatives in the county of Hocking, shall be transmitted to the clerk of the court of common pleas of Fairfield county;

The abstract of votes given for Senator in the county of Pickaway, shall be transmitted to the clerk of the court of common pleas of Franklin county;

The abstract of votes given for Senator and Representatives in the counties of Pike and Jackson, shall be transmitted to the clerk of the court of common pleas of Ross county;

The abstract of votes given for Representative in the county of Athens, shall be transmitted to the clerk of the court of common pleas of Meigs county;

Counties electing in common, judges of, how governed.  
Abstracts of counties electing in common, where and when transferred.

The abstract of votes given for Representative in the county of Lawrence, shall be transmitted to the clerk of the court of common pleas of Gallia county;

The abstract of votes given for Senator in the counties of Lawrence, Gallia and Athens, shall be transmitted to the clerk of the court of common pleas of Meigs county;

The abstract of votes given for Senator and Representatives of the counties of Brown and Scioto, shall be transmitted to the clerk of the court of common pleas of Adams county;

The abstract of votes given for Senator in the county of Clinton, shall be transmitted to the clerk of the court of common pleas of Highland county;

And the abstracts of votes given for Representatives in the county of Clinton in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight, shall be transmitted to the clerk of the court of common pleas of Highland county;

The abstract of votes given for Senator in the county of Preble, shall be transmitted to the clerk of the court of common pleas of Butler county;

The abstract of votes given for Representative in the county of Madison, shall be transmitted to the clerk of the court of common pleas of Fayette county;

And the abstract of votes given for Senator in the counties of Green and Madison, shall be transmitted to the clerk of the court of common pleas of Fayette county;

The abstract of votes given for Senator and Representatives in the counties of Dark and Mercer, shall be transmitted to the clerk of the court of common pleas of Miami county;

The abstract of votes given for Senator in the counties of Clark and Logan, shall be transmitted to the clerk of the court of common pleas of Champaign county;

The abstract of votes given for Representative in the county of Logan, in the year one thousand eight hundred and thirty-six, shall be transmitted to the clerk of the court of common pleas of Champaign county;

The abstract of votes given for Senator in the counties of Delaware, Union and Crawford, shall be transmitted to the clerk of the court of common pleas of Marion county;

The abstract of votes given for Representatives in the counties of Union and Crawford, shall be transmitted to the clerk of the court of common pleas of Marion county;

The abstract of votes given for Senator and Representative in the county of Sandusky, shall be transmitted to the clerk of the court of common pleas of Seneca county;

The abstract of votes given for Representatives in the counties of Lucas, Wood, Hancock and Williams, in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine, shall be transmitted to the clerk of the court of common pleas of Henry county;

The abstract of the votes given for Representatives in the counties of Paulding, Putnam, Van Wert, Hardin and Shelby, in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine, shall be transmitted to the clerk of the court of common pleas of Allen county;

And the abstract of the votes given by the counties of Lucas, Wood, Henry, Paulding, Van Wert, Putnam, Hancock, Allen, Hardin, and Shelby, for Senator; as also the abstract of votes given by the ten last named counties, for Representatives in the year one thousand eight hundred and thirty-six, shall be transmitted to the clerk of the court of common pleas of Williams county.

Sec. 3. That so much of the act entitled "An act to fix and apportion the Representation in the General Assembly of Ohio," passed June 13th, 1832, as comes within the provisions of this act, be, and the same is hereby repealed. Repealing clause.

WILLIAM MEDILL,

*Speaker pro tem. of the House of Representatives.*

ELIJAH VANCE,

*Speaker of the Senate.*

March 12, 1836.

#### AN ACT

To prohibit the establishment, within this State, of any branch, office, or agency of the Bank of the United States, as recently chartered by the Legislature of the Commonwealth of Pennsylvania.

WHEREAS, The present stockholders of the Bank of the United States, excepting the United States, and the Treasurer of the United States, and such other persons as may become stockholders, agreeably to the by-laws made for that purpose, to an amount not exceeding in the whole, the present capital stock of the said Bank, their successors and assigns, have recently, by an act of the Legislature of the Commonwealth of Pennsylvania, been created a corporation and body politic, by the name and style of "The President, Directors and Company of the Bank of the United States;" Preamble  
And whereas, The general welfare of this State forbids the establishment, within its limits, of any branch, office, or agency of the said Bank: Therefore,

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be unlawful for any Bank or body corporate, created by the law of this State, to act as, or transact any banking business as a branch, office, or agency of the Bank of the United States, or any branch, office, or agency thereof, or to hold or own, either directly or indirectly, any stock or Unlawful for any Bank to act as agent, or hold stock, etc.

stocks in, or to transact any banking business with, for, or on behalf of the said Bank of the United States, or any branch, office, or agency thereof, either directly or indirectly, as such Bank of the United States is so chartered as aforesaid.

Unlawful for any person to act as agent for bank in any manner.

Sec. 2. That it shall be unlawful for any person or persons, to erect, establish or constitute, or to aid in erecting, establishing or constituting within this State, any branch, office or agency of [the] Bank of the United States, or of any branch, office or agency thereof, or to receive, accept or exercise the charge or management of any branch, office or agency of the said Bank of the United States, or any branch, office or agency thereof, for the transaction of any exchange or banking business within this State, either directly or indirectly, by whatever name, style, or description, such branch, office or agency hereby prohibited, may by known or designated, as such Bank of the United States is so chartered as aforesaid.

Unlawful for banks or body corporate, or agents, etc. circulate as money and bills of the Bank of United States.

Sec. 3. That it shall be unlawful for any bank, or body corporate, created by the law of this State, or for any person or persons, engaged or employed by, for, or in any bank or body corporate, to issue, pass, or circulate as money, within this State, any bill or bills, or bills of exchange, note or notes, or any other obligation, or obligations of any denomination, purporting to be money, and to be issued by the Bank of the United States, or any branch, office, or agency thereof, as said Bank of the United States is so chartered as aforesaid.

Penalty for violation of the provisions of the first section of this act.

Sec. 4. *Be it further enacted*, That if any bank, or body corporate, created by the law of this State, shall violate either of the provisions of the first section of this act, every such bank, or body corporate, so offending, shall, for such offence, forfeit and pay ten thousand dollars and costs of suit, to be recovered in an action of debt, upon this act, in the name and for the use of the State of Ohio; which action shall be prosecuted in any court of record, in the county in which such bank, or body corporate, may be situated, by the Prosecuting Attorney of said county.

Penalty for violation of second section of this act.

Sec. 5. That any person or persons, who shall violate any provision of the second section of this act, shall thereby forfeit and pay one thousand dollars each, and costs of suit, for such offence, to be recovered in an action of debt, upon this act, in the name and for the use of the State; which shall be prosecuted in any court of record, in the county in which such offence may be committed, by the Prosecuting Attorney of said county.

Penalty for the violation of the third section of this act.

Sec. 6. That if any bank, or body corporate, shall violate any provisions of the third section of this act, such bank or body corporate, shall, for every such offence, forfeit and pay one thousand dollars and costs of suit, and any person or persons, engaged or employed by, for, or in any bank, or body corporate as aforesaid, who shall violate any provision of the third section of this act, shall, for every such offence, forfeit



and pay five hundred dollars and costs of suit, and all such forfeits shall be recovered in an action of debt, upon this act, in the name of the State of Ohio, which action may be prosecuted in any court of record, in the county in which such offence may be committed, by any citizen of said county, and such citizen shall be entitled to one half of such forfeit, and the residue thereof, shall be paid into the treasury of said county, for the use of said county, by the Sheriff thereof, on his collecting said residue. Action may be prosecuted by any citizen

This act to take effect, and be in force, from and after the the passage thereof.

WILLIAM MEDILL,  
*Speaker pro tem. of the House of Representatives.*  
ELIJAH VANCE,  
*Speaker of the Senate.*

March 14, 1836.

#### AN ACT

Making appropriations for the year Eighteen Hundred and Thirty-Six.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sums are hereby appropriated, to be paid out of the Treasury, on the order of the Auditor of State, to defray the expenses of the Government, for the year eighteen hundred and thirty-six, and for other purposes, to wit: Appropriations for the year 1836.

For the payment of the Members of the General Assembly, their Clerks and Door-keepers, a sum not exceeding twenty-seven thousand dollars, in addition to the sum [of] ten thousand dollars heretofore appropriated; Members of the General Assembly, etc

For the payment of the salaries of the Governor, the Secretary of State, Treasurer and Auditor of State, Chief Clerk in the Auditor's office, the Judges of the Supreme Court, and the President's of the Courts of Common Pleas, a sum not exceeding twenty-one thousand dollars; Officers of State.

For defraying the expenses of the Penitentiary, including the cost of conviction and transportation of convicts, a sum not exceeding fifteen thousand dollars; Penitentiary.

For the construction of the New Penitentiary, a sum not exceeding fifteen thousand dollars; Penitentiary.

For the State Printer, for his services to the State, a sum not exceeding seven thousand dollars, in addition to the sum of five thousand dollars heretofore appropriated; State Printer.

For paper for the use of the State, a sum not exceeding fifteen hundred dollars; Paper.

For bounties on Wolf Scalps, a sum not exceeding one thousand dollars; Wolf Scalp bounties.

For the Adjutant and Quarter-Master General, and for the Adjutant

General, etc. service of Brigade Inspectors, two thousand five hundred dollars;

For refunding taxes. For refunding taxes, twice, or improperly paid, a sum not exceeding two thousand five hundred dollars;

Sundry accounts. For the payment of the accounts of M'Coy, Work and M'Coy, of Monroe Bell, of Lazell and Mattoon, and of Adin G. Hibbs, for stationary and furniture, as per bills rendered, the sum of one hundred eighty two dollars and sixty-seven cents;

Contingent fund for Governor. For the Contingent Fund of the Governor, an account of the expenditure whereof, to be reported to the next General Assembly, the sum of two thousand five hundred dollars;

Contingent fund for Auditor of State. For the Contingent Fund of the Auditor of State, an amount of the items of expenditure whereof, to be reported to the next General Assembly, a sum not exceeding three thousand two hundred dollars;

Contingent fund for Secretary of State. For the Contingent Fund of the Secretary of State, an account of the expenditure whereof, to be reported to the next General Assembly, the sum of four hundred dollars;

Contingent fund for Treasurer of State. For the Contingent Fund of the Treasurer of State, an account of the items of expenditures whereof, to be reported to the next General Assembly, six hundred dollars;

For the Librarian and Library. For the Librarian, his salary, three hundred and fifty dollars, and fifty dollars in addition for deficiency in last years appropriation;

For the payment of periodicals and other works, for the Library, four hundred dollars;

Deaf and Dumb Asylum. For the Deaf and Dumb Asylum, to meet the sum requisite for the improvement and current expenses of said institution, a sum not exceeding two thousand dollars; to be charged to the Literary Fund;

Postage. For the payment of postage of the Speakers of the Senate and House of Representatives, a sum not exceeding eight hundred dollars;

Reporter of supreme court. For the payment of the Reporter of Decisions of the Supreme Court, three hundred dollars;

Sundry claims. To cover the different sums allowed by the Committee on Claims, not otherwise provided for, a sum not exceeding three hundred and twenty dollars;

For wood. For the payment for wood for the next General Assembly, and public offices, a sum not exceeding six hundred and seventy four dollars;

Assistant door keeper. For the payment of the assistant Door-keepers of Senate and House of Representatives, a sum not exceeding five hundred and ninety four dollars;

Messengers. For the payment of messengers for the two Houses, each, seventy-four dollars;

Lunatic Asylum. For the payment of Directors of the Lunatic Asylum, three hundred dollars.

Unexpended balances. That the appropriations hereby made, are in addition to the unexpended balances of the appropriations of 1835, and such

balances shall be applicable to the designated objects respectively.

Sec. 2. That the Commissioners of the Canal Fund, be, and they are hereby authorized from time to time, to appropriate so much of the surplus Ohio Canal Fund; not otherwise appropriated, as may be necessary for the prosecution and completion of that branch of the Miami Canal south of Dayton, extending from the Miami Canal at or near Middletown, to the town of Lebanon, (heretofore known as the Warren county Canal) and if the Commissioners of the Canal Fund, shall be of opinion that it is inexpedient to make the appropriation from the fund aforesaid, then said Commissioners are hereby authorized, from time to time as the case may require, to borrow on the credit of the State, for the purpose aforesaid, such sum or sums of money, not exceeding fifty thousand dollars in the present year, nor exceeding one hundred and twenty thousand dollars in the whole, at a rate of interest not exceeding six per cent. per annum, redeemable at such time as may be designated by the Commissioners of the Canal Fund, between the years 1845 and 1860.

For the Warren county Canal.  
Commissioners of the Canal Fund authorized to borrow money

WILLIAM MEDILL,

*Speaker pro tem. of the House of Representatives.*

ELIJAH VANCE,

*Speaker of the Senate.*

March 14, 1836:

### AN ACT

To fix the rate of Tolls on the National Road:

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That at each of the toll gates erected on the National Road, the following tolls shall be paid to each gate keeper for passing through such gate, to wit:

For every score of hogs or sheep, six and one-fourth cents;

For every score of cattle, twelve and a half cents;

For every led or driven horse, mule, or ass, two cents;

For every horse and rider, six and one-fourth cents;

Tolls:

For every sled or sleigh drawn by horse or ox, eight cents, and for every additional horse or ox, four cents;

For every dearborn, sulky, chair, gig, chase or buggy, with one horse, twelve and a half cents; and for every horse in addition, six and one-fourth cents;

For every chariot, coach, coachee, pheaton, barouche, stage or hack, with two horses, eighteen and three-fourth cents; and for every horse in addition, six and one-fourth cents; and for every other pleasure carriage, under whatever name it may pass, the same toll shall be paid, according to the number of wheels and horses drawing the same;

Pleasure cars, raigee, etc.

Wagons,  
carts, &c.

For every cart or wagon, the wheels of which do not exceed the breadth of two and a half inches, twelve and a half cents; and for every horse or ox drawing the same, six and one-fourth cents;

For every cart or wagon, the wheels of which shall exceed two and a half inches in breadth, and not exceed four inches, eight cents; and for every horse or ox drawing the same, four cents;

Proviso.

For every cart or wagon, the wheels of which shall exceed four inches, and not exceed six inches in breadth, four cents, and for every horse or ox drawing the same, two cents; and all carts or wagons, the wheels of which shall exceed six inches in breadth, shall pass toll free: *Provided however*, That for each horse or ox drawing the same, the sum of two cents shall be paid;

What persons  
exempt from  
paying tolls.

Sec. 2. Nothing in this act contained shall authorize the collection of tolls from children passing to school, persons passing to or from public worship, to or from a funeral, to or from a militia muster or other military meeting, where the individual is by law compelled to attend, or to or form elections.

United States  
mail, &c. to  
pass free.

Sec. 3. No toll shall be charged or collected for any stage, coach, or vehicle carrying the United States Mail, or horses drawing the same; nor any cavalry, or other troops, armies, military stores, or munitions of war belonging to the United States, or to any State or Territory of the United States, nor from any person or persons on duty in the military service of the United States, or of the militia of any State or Territory.

Repealing  
clause.

Sec. 4. That all acts or parts inconsistent with the provisions of this act, are hereby repealed.

Repealing  
clause.

That so much of the act entitled "An act to amend the act entitled an act for the preservation and repair of the National Road," passed June 14, 1832, as authorizes the laying of gravel on said road, be, and the same is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after the twelfth day of April next.

WILLIAM MEDILL,

*Speaker pro tem. of the House of Representatives.*

ELIJAH VANCE.

*Speaker of the Senate.*

March 14, 1836.

#### AN ACT

To prohibit the circulation of Small Bills.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Auditor of State, after receiving the statements of the dividends made by the Banks in this State, in conformity with the first section of the act entitled "An act to tax

Bank, Insurance, and Bridge Companies," passed March 12, 1831, shall draw on such Banks respectively in favor of the Auditor of State shall draw on Banks for twenty per cent. upon such dividends, and it is hereby made the duty of said Treasurer, to collect said tax, and account for it as for other money's cent. upon their dividends. On refusal to pay the same how proceeded against. Bank, Insurance and Bridge Companies: *Provided*, That should any Bank in this State, prior to the fourth day of July next, with the consent of its stockholders, by an instrument of writing under its corporate seal, addressed to the Auditor of State, surrender the right conferred by its charter, to issue or circulate notes or bills of a less denomination than three dollars, after the fourth day of July, eighteen hundred and thirty-six; and any notes or bills of a less denomination than five dollars after the fourth day of July eighteen hundred and thirty seven, then, and in that case, the Auditor of State shall be authorized to draw on such Banks only for the amount of five per cent. upon its dividends, declared after the surrender aforesaid. *Provido*, for the surrender of certain rights.

Sec. 2. Should any Bank, having made such surrender, afterwards issue or circulate any note or bill, in violation of the terms of such surrender, every Bank so offending, for every note so issued or circulated, shall forfeit and pay a sum not less than ten times the amount of such note, to be recovered with costs, by action of debt, before any court of competent jurisdiction, in the name and for the use of the State of Ohio. *Penalty for violation of the terms of surrender.*

Sec. 3. That it shall be the duty of the Auditor of State, on or before the first day of April next, to forward to the Cashier of every Bank in this State, a certified copy of the present act. *Duty of Auditor of State.*

Sec. 4. So much of the act entitled "An act to tax Bank, Insurance and Bridge Companies," as is inconsistent with the provisions of this act, be, and the same is hereby repealed. *Repealing clause.*

WILLIAM MEDILL,

*Speaker of the House of Representatives.*

ELIJAH VANCE,

*Speaker of the Senate.*

March 14, 1834.

#### AN ACT

To provide for the Recording of Land Patents.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That all patents for lands lying within the State of Ohio, granted to any person or persons by the President of

## AN ACT

To fix and apportion the Representation in the General Assembly of the State of Ohio.

Number of  
Senators and  
Representa-  
tives.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the General Assembly of this State shall be composed of thirty-six Senators and seventy-two Representatives, to be apportioned among the several counties as follows, to wit:

Apportioned  
among the  
several coun-  
ties.

To the county of Ashtabula, one Representative; also, one additional Representative to be elected in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine.

The county of Geauga two Representatives; and the two counties named, one Senator;

To the county of Cuyahoga, one Senator and one Representative; also, one additional Representative to be elected in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight;

To the county of Lorain, one Representative; the county of Medina one Representative, and the two last named counties, one Senator;

To the county of Huron, one Senator and one Representative; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty eight;

To the county of Trumbull, one Senator and two Representatives;

To the county of Portage, one Senator and two Representatives;

To the county of Columbiana, three Representatives; the county of Carroll, one Representative; and the two last named counties one Senator;

To the county of Stark, one Senator and two Representatives;

To the county of Wayne, one Senator and one Representative; also, one additional Representative to be elected in the year one thousand eight hundred and thirty-nine;

To the county of Richland, one Senator and one Representative; also, one additional Representative to be elected in the year one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine;

To the county of Knox, one Representative; also, one additional Representative to be elected in the year one thousand eight hundred and thirty-six; the county of Coshocton, one Representative;

To the county of Holmes, one Representative; and the two last named counties one additional Representative to be elect-

ed in the year one thousand eight hundred and thirty-seven; and the said counties of Knox, Coshocton and Holmes, one Senator;

To the county of Tuscarawas, one Representative; the county of Harrison, one Representative; and the two last named counties, one Senator; also, one additional Representative to be elected in the year one thousand eight hundred and thirty-six;

To the county of Jefferson, one Senator and one Representative;

To the county of Belmont, one Senator and one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-nine;

To the county of Guernsey, one Representative; the county of Monroe, one Representative; and the two last named counties, one Senator;

To the county of Muskingum, one Senator and one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred [and thirty] seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine;

To the county of Licking, one Senator and two Representatives;

To the county of Perry, one Representative; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty-six; the county of Morgan, one Representative; the county of Washington, one Representative; and the three last named counties, one Senator;

To the counties of Fairfield and Hocking, one Senator and one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-nine;

To the county of Franklin, one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight; the county of Pickaway, one Representative; and the two last named counties, one Senator;

To the counties of Ross, Pike, and Jackson, one Senator and two Representatives; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty-six;

To the counties of Lawrence, and Gallia, one Representative; the counties of Meigs and Athens, one Representative; and the four last named counties one Senator;

To the counties of Brown, Adams, and Scioto, two Representatives, and one Senator;

To the county of Clermont, one Senator, and one Representative;

To the counties of Clinton, and Highland, one Representative, to be elected in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight, and one Representative, each, to be elected in the years one thousand eight hundred and thirty-six, and one thousand eight hundred and thirty-nine; and the two last named counties, one Senator;

To the county of Hamilton, two Senators and two Representatives; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-six, and one thousand eight hundred and thirty-seven;

To the county of Warren, one Senator and one Representative;

To the county of Butler, two Representatives; the county of Preble, one Representative; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty-six; and the two last named counties, one Senator;

To the county of Montgomery, one Senator, and one Representative; also, one additional Representative, to be elected in the year one thousand eight hundred and thirty-eight;

To the county of Green, one Representative; the counties of Fayette, and Madison, one Representative; and the three last named counties, one Senator;

To the county of Clark, one Representative; the counties of Champaign and Logan, one Representative, to be elected in the year one thousand eight hundred and thirty-six; and one Representative, each, to be elected in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, one thousand eight hundred and thirty-nine; and the three last named counties, one Senator;

To the counties of Miami, Dark, and Mercer, one Senator, and one Representative; also, one additional Representative, to be elected in the years one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine;

To the county of Delaware, one Representative; the counties of Union, Marion, and Crawford, two Representatives; and the four last named counties, one Senator;

To the counties of Seneca and Sandusky, one Senator and one Representative;

To the counties of Lucas, Wood, Henry, Williams and Hancock, one Representative, to be elected in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine; the counties of Paulding, Putnam, Van Wert, Allen, Hardin, and Shelby, one Representative, to be elected in the years one thousand eight hundred and thirty-seven, one thousand eight hundred and thirty-eight, and one thousand eight hundred and thirty-nine; and the said counties of Lucas, Wood, Henry, Hancock, Williams, Paulding, Putnam, Van



Wert, Allen, Shelby, and Hardin, one Representative, to be elected in the year one thousand eight hundred and thirty-six; and the eleven last named counties, one Senator.

Sec. 2. That when two or more counties elect, in common, Senators and Representatives, the judges of the election shall be governed by the provisions of the act entitled "An act to regulate elections."

The abstract of votes given for Senator in the county of Ashtabula, shall be transmitted to the clerk of the court of common pleas of Geauga county;

The abstract of votes given for Senator in the county of Lorain, shall be transmitted to the clerk of the court of common pleas of Medina county;

The abstract of votes given for Senator in the county of Carroll, shall be transmitted to the clerk of the court of common pleas of Columbiana county;

The abstract of votes given for Senator in the counties of Coshocton and Holmes, shall be transmitted to the clerk of the court of common pleas of Knox county;

The abstract of votes given in the county of Holmes for the Representative to be elected in common, with the county of Coshocton in the year one thousand eight hundred and thirty-seven, shall be transmitted to the clerk of the court of common pleas of Coshocton county;

The abstract of votes given for Senator in the county of Tuscarawas, shall be transmitted to the clerk of the court of common pleas of Harrison county;

The abstract of votes given in the county of Tuscarawas, for the Representative to be elected, in common, with the county of Harrison, in the year one thousand eight hundred and thirty-six, shall be transmitted to the clerk of the court of common pleas of Harrison county.

The abstract of votes for Senator in the county of Monroe, shall be transmitted to the clerk of the court of common pleas of Guernsey county;

The abstract of votes given for Senator in the counties of Perry and Washington, shall be transmitted to the clerk of the court of common pleas of Morgan county;

The abstract of votes given for Senator or Representatives in the county of Hocking, shall be transmitted to the clerk of the court of common pleas of Fairfield county;

The abstract of votes given for Senator in the county of Pickaway, shall be transmitted to the clerk of the court of common pleas of Franklin county;

The abstract of votes given for Senator and Representatives in the counties of Pike and Jackson, shall be transmitted to the clerk of the court of common pleas of Ross county;

The abstract of votes given for Representative in the county of Athens, shall be transmitted to the clerk of the court of common pleas of Meigs county;

Counties electing in common, judges of, how governed. Abstracts of counties electing in common, where and when transferred.

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PASSED AT THE FIRST SESSION OF THE

## THIRTY-FOURTH GENERAL ASSEMBLY.

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